

AMENDMENTS TO THE CLAIMS

The following listing of claims replaces all previous listings:

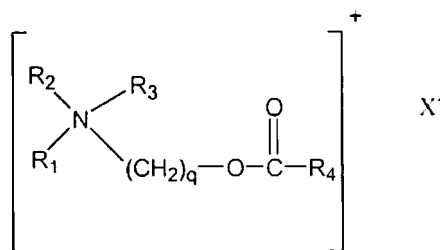
1-25. (Canceled)

26. (Currently amended) A fabric softener composition comprising :

- (a) 0.01% to 50% by weight of a cationic softening compound which is a fatty ester quaternary ammonium compound;
- (b) at least 0.001%, by weight, of a water dispersible cross-linked cationic polymer derived from the polymerization of 5 to 100 mole percent of a cationic vinyl addition monomer, 0 to 95 mole percent of acrylamide, and 5 to 500 ppm of a difunctional vinyl addition monomer cross-linking agent;
- (c) 0 to 5% by weight of a non-confined fragrance oil; and
- (d) an effective amount of at least one fabric or skin beneficiating ingredient encapsulated within a first polymer material to form a polymer encapsulated beneficiating ingredient, said encapsulated ingredient being further coated with a cationic polymer which is a cationic polyamine that is a reaction product of a polyamine and an oxirane material.

27. (Canceled)

28. (Currently amended) The composition of claim ~~27~~ 26 wherein said fatty ester quaternary ammonium compound is a biodegradable fatty ester quaternary ammonium compound having the formula:

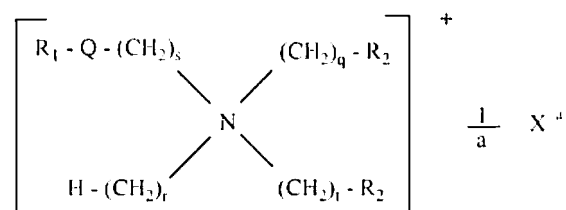


wherein

R₁ represents (CH₂)₁R₆ where R₆ represents benzyl, phenyl, (C₁-C₄)alkyl substituted phenyl, OH, or H;

R₂ and R₃ represent (CH₂)_s-R₅ where R₅ represents an alkoxy carbonyl group containing 8 to 22 carbon atoms, benzyl, phenyl, (C₁-C₄)alkyl substituted phenyl, OH, or H;
 R₄ represents an aliphatic hydrocarbon group having 8 to 22 carbon atoms;
 q, s, and t each independently represent an integer 1 to 3; and
 X⁻ is a softener compatible anion.

29. (Currently amended) The composition of claim ~~27~~ 26 having a biodegradable fatty ester quaternary ammonium compound derived from the reaction of an alkanol amine and a fatty acid derivative followed by quaternization, said fatty ester quaternary ammonium compound being represented by the formula:



wherein

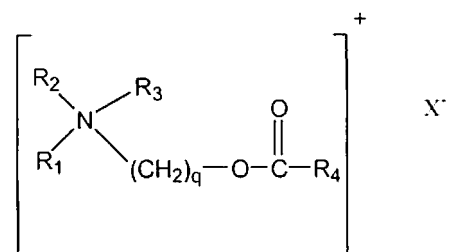
Q represents a carboxyl group having the structure -OCO- or -COO-;
 R₁ represents an aliphatic hydrocarbon group having 8 to 22 carbon atoms;
 R₂ represents -Q-R₁ or -OH;
 q, r, s, and t each independently represent a number of 1 to 3; and
 X^{-a} is an anion of valence a; and

wherein said fatty ester quaternary ammonium compound is comprised of a distribution of monoester, diester and triester compounds, the monoesterquat compound being formed when each R₂ is -OH; the diesterquat compound being formed when one R₂ is -OH and the other R₂ is -Q-R₁; and the triesterquat compound being formed when each R₂ is -Q-R₁; and wherein the normalized percentage of monoesterquat compound in said fatty ester quaternary ammonium compound is 28% to 39%; the normalized percentage of diesterquat compound is 52% to 62%, and the normalized percentage of triesterquat compound is 7% to 14%; all percentages being by weight.

30. (Previously presented) The composition of claim 26 wherein said cross-linked cationic polymer is a cross-linked copolymer of a quaternary ammonium acrylate or methacrylate in combination with an acrylamide co-monomer.

31. (Previously presented) The composition of claim 26 wherein said encapsulating polymer in (d) is selected from the group consisting of a vinyl polymer, an acrylate polymer, melamine formaldehyde polymer, urea formaldehyde polymer, and mixtures thereof.
32. (Previously presented) The composition of claim 26 wherein the oxirane material is selected from the group consisting of (chloromethyl) oxirane, (bromoethyl) oxirane, and mixtures thereof.
33. (Previously presented) The composition of claim 26 wherein the fabric or skin beneficiating ingredient is selected from the group consisting of perfumes or fragrance oils, anti-bacterial agents, vitamins, skin conditioners, UV absorbers, and enzymes.
34. (Previously presented) The composition of claim 33 wherein the fabric or skin beneficiating ingredient is a perfume or fragrance oil.
35. (Previously presented) The composition of claim 33 wherein the perfume or skin beneficiating ingredient is mixed with a polymer or non-polymeric carrier material or surfactant or solvent or mixtures thereof.
36. (Previously presented) The composition of claim 26 which is in the form of a liquid, powder, or gel.
37. (Previously presented) The composition of claim 26 further comprising at least 0.001% of a chelating compound capable of chelating metal ions and selected from the group consisting of amino carboxylic acid compounds, organo aminophosphonic acid compounds, and mixtures thereof.
38. (Previously presented) A method of imparting softness to fabrics comprising contacting said fabrics with an effective amount of a composition of claim 26.
39. (Previously presented) The method of claim 38 wherein said fabrics are contacted during the rinse cycle of a laundry washing machine or hand wash laundry treatment.
40. (Previously presented) The method of claim 38 wherein said fabric softening compound is a fatty ester quaternary ammonium compound.

41. (Previously presented) The method of claim 40 wherein said fatty ester quaternary ammonium compound has the formula:



wherein

R₁ represents (CH₂)_t R₆ where R₆ represents benzyl, phenyl, (C₁-C₄)alkyl substituted phenyl, OH, or H;

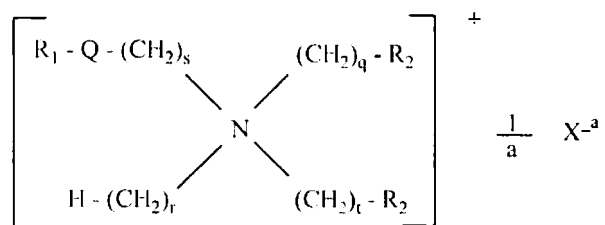
R₂ and R₃ represent (CH₂)_s-R₅ where R₅ represents an alkoxy carbonyl group containing 8 to 22 carbon atoms, benzyl, phenyl, (C₁-C₄)alkyl substituted phenyl, OH, or H;

R₄ represents an aliphatic hydrocarbon group having 8 to 22 carbon atoms;

q, s, and t each independently represent an integer from 1 to 3; and

X⁻ is a softener compatible anion.

42. (Previously presented) The method of claim 40 wherein the fatty ester quaternary ammonium compound is derived from the reaction of an alkanol amine and a fatty acid derivative followed by quaternization, said fatty ester quaternary ammonium compound being represented by the formula:



wherein

Q represents a carboxyl group having the structure -OCO- or -COO-;

R₁ represents an aliphatic hydrocarbon group having 8 to 22 carbon atoms;

R₂ represents -Q-R₁ or -OH;

q, r, s, and t each independently represent a number of 1 to 3; and

X^{-a} is an anion of valence a; and

wherein said fatty ester quaternary ammonium compound is comprised of a distribution of monoester, diester and triester compounds, the monoesterquat

compound being formed when each R₂ is -OH; the diesterquat compound being formed when one R₂ is -OH and the other R₂ is -Q-R₁; and the triesterquat compound being formed when each R₂ is -Q-R₁; and wherein the normalized percentage of monoesterquat compound in said fatty ester quaternary ammonium compound is from 28% to 39%; the normalized percentage of diesterquat compound is from 52% to 62%, and the normalized percentage of triesterquat compound is from 7% to 14%; all percentages being by weight.

43. (Previously presented) The method of claim 38 wherein said fabric or skin benefiting ingredient is a perfume or fragrance oil.

44. (Previously presented) The method of claim 43 wherein said encapsulating polymer for said perfume or fragrance oil is a vinyl polymer, an acrylate polymer, melamine formaldehyde polymer, urea formaldehyde polymer, or mixtures thereof.

45. (Currently amended) A non-aqueous fabric softener composition comprising:

- (a) 0.01% to 50% by weight of a cationic softening compound;
- (b) at least 0.001%, by weight, of a water dispersible cross-linked cationic polymer derived from the polymerization of 5 to 100 mole percent of a cationic vinyl addition monomer, 0 to 95 mole percent of acrylamide, and 5 to 500 ppm of a difunctional vinyl addition monomer cross-linking agent;
- (c) 0 to 5% by weight of a non-confined fragrance oil; and
- (d) an effective amount of at least one fabric or skin benefiting ingredient encapsulated within a first polymer material to form a polymer encapsulated benefiting ingredient, said encapsulated ingredient being further coated with a cationic polymer ;

wherein the composition is in the form of a fabric softener sheet.

46-66. (Canceled)

67. (New) A non-aqueous fabric softener composition comprising:

- (a) 0.01% to 50% by weight of a cationic softening compound which is a fatty ester quaternary ammonium compound;

- (b) at least 0.001%, by weight, of a water dispersible cross-linked cationic polymer derived from the polymerization of 5 to 100 mole percent of a cationic vinyl addition monomer, 0 to 95 mole percent of acrylamide, and 5 to 500 ppm of a difunctional vinyl addition monomer cross-linking agent;
- (c) 0 to 5% by weight of a non-confined fragrance oil; and
- (d) an effective amount of at least one fabric or skin beneficiating ingredient encapsulated within a first polymer material to form a polymer encapsulated beneficiating ingredient, said encapsulated ingredient being further coated with a cationic polymer which is a cationic polyamine that is a reaction product of a polyamine and an oxirane material.

68. (New) The composition of claim 67 wherein the oxirane material is selected from the group consisting of (chloromethyl) oxirane, (bromoethyl) oxirane, and mixtures thereof.